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August 22, 2022

The Honorable Michael B. Kaplan
United States Bankruptcy Court, District of New Jersey
Clarkson S. Fisher US Courthouse
402 East State Street, Courtroom #8
Trenton, NJ 08608

Re: LTL Management LLC, Case No. 21-30589 (MBK);
Adv. Case No. 22-01231

Dear Judge Kaplan:

On behalf of the Debtor, we submit this brief response to the August 22, 2022 letter of Robert K. Malone, counsel to the State of New Mexico and the State of Mississippi (together, the “States”) regarding the August 23, 2022 hearing on the Debtor’s request to preliminarily enjoin certain pending litigation commenced by the States [Adv. Dkt. 2] (the “Motion”).

On July 14, 2022, contemporaneously with the filing of the Motion, the Debtor filed the declaration of Mr. John K. Kim in support of the Motion [Adv. Dkt. 5], in accordance with the requirements of Rule 9013-1(a)(2) of the Local Rules of the United States Bankruptcy Court District of New Jersey (the “Local Rules”). On July 20, 2022, the Debtor and the States agreed to (i) adjourn the hearing on the Motion until August 23, 2022, (ii) a briefing schedule in connection with the Motion, and (iii) certain other relief related to the Motion (the “Consent Order”) [Adv. Dkt. 15]. The Consent Order did not address evidentiary matters.

On Friday, August 19, 2022, the Debtor’s counsel contacted counsel for the States to inquire whether the States intended to object to the admission of Mr. Kim’s declaration into evidence or wished to cross-examine him at the hearing. Today, the States’ counsel responded that they desire to take discovery, including a deposition of Mr. Kim, and potentially cross exam him. Counsel further indicated that the States wished to further adjourn the hearing to permit additional time for that discovery.

The Debtor is prepared to proceed with the August 23, 2022 hearing and submits it has timely submitted evidence in support of the Motion in accordance with the requirements of the Local Rules. Nevertheless, the Debtor does not oppose an adjournment of the hearing so long as (i) the agreed stay of the States’ actions remains in place until the Motion is decided and (ii) the hearing on the Motion is scheduled for the next omnibus hearing date of September 14, 2022. The

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Debtor believes that setting a special hearing date, as the States propose, is unnecessary to accommodate the States' desire to take discovery and would cause the Debtor's estate to needlessly incur additional expense.

Thank you for your consideration.

Respectfully submitted,

/s/ Dan B. Prieto

Dan B. Prieto